

This record is a partial extract of the original cable. The full text of the original cable is not available.

UNCLAS SECTION 01 OF 02 GUATEMALA 001745

SIPDIS

E.O. 12958: N/A

TAGS: PHUM KCRM PGOV FAID ASEC SNAR MASS KJUS GT

SUBJECT: GUATEMALA'S LATEST BOOGYMAN: "SOCIAL CLEANSING"

REF: GUATEMALA 1551

1. Summary: "Social cleansing" is a phrase increasingly bandied about in Guatemala to explain some unsolved killings.

Although frustration with the government's inability to reduce crime is very real, there is no indication of a state policy to pursue extrajudicial executions of delinquents, nor is there any evidence of involvement by state security force members, on-duty or off. The dead bodies showing up all over Guatemala can reasonably be ascribed to inter-gang violence or vigilantism. Usage of the "social cleansing" term could take on a life of its own, despite the absence of any hard evidence. Although we do not believe "social cleansing" is underway, we are conveying to contacts our complete opposition to extrajudicial killings or any other illegal approaches to "solving" crime. In addition, we continue our efforts to boost the GOG's negligible capacity to investigate crime. End summary.

2. Guatemala had a homicide rate in 2004 of 37 per 100,000, ranking it among the most violent countries in the hemisphere. This year's homicide rate is even higher. Chief Prosecutor (Attorney General-equivalent) Juan Luis Florido publicly admits that his ministry is overwhelmed by the levels of crime in Guatemala and does not have the resources to respond. A similar situation exists within the National Civilian Police (PNC). The PNC has 75 homicide detectives to handle the 2,098 murder cases reported in the first five months of 2005. This is in addition to the 4,507 reported in 2004 and the outstanding cases from previous years. With the conviction rate for reported crimes at about two percent, the public's frustration with impunity is growing.

3. In recent years, Guatemala has seen numerous instances of lynchings and spontaneous mob violence against criminals caught in the act. Police sources told us they have registered 13 lynchings so far in 2005, a sharp increase compared to the seven registered in all of 2004. (From press reports, we have the impression that lynchings and near-lynchings are much higher than these numbers.) The state's continued inability to provide a working criminal justice system naturally prompts speculation that people are taking matters into their own hands in a more premeditated and organized fashion. In some communities, the response has been legitimate, as citizens have banded together to patrol their neighborhoods and deter crime. In other cases, however, it appears that vigilantes may be seeking out suspected criminal elements for retribution. Some of the dead bodies recently found by authorities have notes describing the victims as car thieves or cell phone thieves. In one case in the rural town of San Lucas Toliman, the accompanying note specifically stated that the murder was an act of social cleansing and that the perpetrators were supporting the police. Police representatives denied any involvement. Minister of Government Carlos Vielmann believes the San Lucas incident was one battle in an ongoing war between rival criminal gangs. He and Chief Prosecutor Florido publicly vowed to investigate, track down and prosecute the perpetrators.

4. Deciding whether or not these mysterious deaths constitute "social cleansing" requires a determination of involvement by state actors. In the absence of evidence of state involvement, the Embassy is inclined to attribute these deaths to vigilantism or to gang violence. In its final report before closing down in December 2004, the U.N. Verification Mission in Guatemala (MINUGUA) cited social cleansing as an "ongoing" concern without providing any specifics. The Department's citation in the 2004 Human Rights Report of MINUGUA's claim garnered much publicity in the local press.

5. Gang violence remains the largest single source of murders. Inter-gang violence is common in Guatemala City, its suburbs, and most other major population centers in Guatemala. Rivalries between gangs to control geographic areas and criminal operations result in regular bloodshed. Intra-gang violence to enforce discipline is common as well, and is present in rural areas in addition to the major population centers. Human Rights Ombudsman Sergio Morales told the diplomatic corps (reftel) that there was no evidence to support charges that the GOG was engaging in a policy of "social cleansing." He deemed it possible that off-duty police, acting outside their official roles, might be involved in organized violence against specific groups; however, he thought it more likely that gangs were killing

their own, possibly to prevent their members' defection. One source told us that gangs regularly need to eliminate low-level members who become intractable with time. This is a primary reason why gangs need to continuously recruit young members.

16. Various public opinion surveys reflect that Guatemalans both consider public security their number one concern and have little faith that the justice system will protect them. Guatemala is not far removed from its civil war and is still a heavily-armed nation. Anyone over the age of 35 has a deep understanding of violence and many younger people have been influenced by the pervasiveness of gangs.

17. Many contacts cite the availability of firearms as a root cause of the violence. We suggest, however, that the ability and the will to use firearms are common and play a more important role. Whether private groups or individuals are hiring assassins or committing the murders themselves is less relevant than the point that the formal justice sector can neither protect its citizenry nor prevent them from protecting themselves in such illegal ways.

18. We are concerned that usage of the "social cleansing" term could take on a life of its own, despite the absence of any plausible indicators of state involvement. The legacy of human rights violations during the 1960-1996 armed internal conflict and a penchant for sinister conspiracy theories lead many to suspect state involvement in the extrajudicial killing of victims who could have been criminal suspects. However, even people who do not believe the state is involved are using the "social cleansing" label to describe vigilantism that hypothetically is commissioned by business leaders.

19. The barrage of "social cleansing" accusations against Guatemala will likely grow. NGOs and the international community will demand that the GOG fully investigate the accusations. Unfortunately, the GOG is not well-positioned to defend itself. Its police, prosecutors and courts are barely able to convict criminals who are caught in flagrante. Without the intel or other tools to investigate who or what is behind these killings, its inability to get to the bottom of the "social cleansing" will be perceived as a cover-up.

110. The Ambassador and other embassy officers have raised the prospect of social cleansing with contacts in the government and civil society. In so doing, we have conveyed our complete opposition to extrajudicial killings or any other illegal approaches to "solving" crime. Although some interlocutors have indicated to us that they believe "social cleansing" is underway, their definition of "social cleansing" is closer to vigilantism, and their belief in it is generally based on gut feelings or hunches rather than evidence. We will continue to convey our concerns about "social cleansing" and look vigilantly for evidence of it.

111. Ultimately, the best way to head off "social cleansing" would be for the GOG to demonstrate that it is turning the corner on crime. With our limited resources, we are working to boost the capacity of police and prosecutors to investigate all crime, including the mysterious deaths that might otherwise be attributed to "social cleansing." The Ambassador has also used his farewell interviews with GOG officials, legislators and the media to urge passage of legislation to provide much-needed tools for criminal investigations, such as wiretap authority and undercover operations.

HAMILTON